

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

JON HARROP,

Plaintiff,

Case No. 2:16-cv-286

v.

CHIEF JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Kimberly A. Jolson

C. O. GUST, *et al.*,

Defendants.

**OPINION AND ORDER**

This case is before the Court on Plaintiff's failure to timely file a response in accordance with this Court's Order. In its Order of March 13, 2018, this Court provided Plaintiff, who is proceeding *pro se*, "one last opportunity to respond to Defendants' Motion for Summary Judgment." (*Order*, ECF No. 33.) Specifically, the Court provided Plaintiff "**seven days (7) from the date of his receipt of this Order to file a response to Defendants' Motion for Summary Judgment.**" The Court advised Plaintiff that, in the absence of a timely response, the Court will proceed to decide the case without the benefit of a response. (*Id.*) Plaintiff was notified by email on March 13, 2018, and by certified mail, which the United States Postal Service tracking service number indicates he received on March 20, 2018. Therefore, Plaintiff received actual notice of the Court's Order more than seven days ago. Nonetheless, Plaintiff has failed to timely respond to the Court's Order.

The Court has reviewed the Defendants' Motion for Summary Judgment, and finds that it has merit and is supported by affidavits and relevant documentation.

Accordingly, Defendants' Motion for Summary Judgment (ECF No. 26) is **GRANTED**. Plaintiffs motions (ECF No. 31, 32) are **DENIED as MOOT**. The Clerk is directed to close this case.

**IT IS SO ORDERED.**

3-30-2018  
DATE

  
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EDMUND A. SARGUS, JR.  
CHIEF UNITED STATES DISTRICT JUDGE